

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Plaintiff,

-against-

BUFNY II ASSOCIATES, L.P., et al.,

Defendants.

23-CV-9795 (JGLC)

ORDER OF DISMISSAL

JESSICA G. L. CLARKE, United States District Judge:

In light of the parties' settlement and forbearance agreement, *see* ECF No. 48, it is ORDERED that the above-entitled action be and is hereby DISMISSED and discontinued without costs, and without prejudice to the right to reopen the action (and for Plaintiff to pursue the relief sought in its pending motions) by **August 9, 2024** if Defendant BUFNY II Associates, L.P. has not fully performed under the forbearance agreement. If Plaintiff seeks to reopen the case, Plaintiff shall notify the Court of next steps in this action, including Plaintiff's request for the appointment of a receiver.

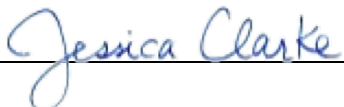
To be clear, any application to reopen **must** be filed **by the aforementioned deadline**; any application to reopen filed thereafter may be denied solely on that basis.

If the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they **must** submit the settlement agreement to the Court by the deadline to reopen to be "so ordered" by the Court. Per Section 6(a) of the Court's Individual Rules and Practices for Civil Cases, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot. All conferences are cancelled. The Clerk of Court is directed to CLOSE the case.

Dated: March 6, 2024
New York, New York

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge